

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	File No: ITC-T/C-20070425-00162,
	)	ITC-214-20020306-00105
Comsat International, Inc.	)	
Transferor	)	
	)	
And	)	
	)	
British Telecommunications plc,	)	
Transferee	)	
	)	
Application for Consent	)	
to Transfer of Control	)	
	)	

**FILED/ACCEPTED**

**MAY 23 2007**

Federal Communications Commission  
Office of the Secretary

**PETITION TO ADOPT CONDITIONS TO  
AUTHORIZATIONS AND LICENSES**

The Department of Homeland Security (“DHS”), with the concurrence of the Department of Justice (“DOJ”) and the Federal Bureau of Investigation (“FBI”) (collectively, the “Agencies”), respectfully submit this Petition to Adopt Conditions to Authorizations and Licenses (“Petition”), pursuant to Section 1.41 of the Federal Communications Commission (“FCC” or “Commission”) rules.<sup>1</sup> Through this Petition, the Agencies advise the Commission that they have no objection to the Commission granting its consent in the above-referenced proceeding, provided that the Commission conditions the grant on British Telecommunications plc (“BT”) abiding by the commitments and undertakings contained in its May 16, 2007 letter to Stewart A. Baker, Kenneth L. Wainstein, Sigal P. Mandelker, and Elaine N. Lammert (the “Letter”) attached hereto as Exhibit 1.

In the above-captioned proceedings, BT and Comsat International, Inc. (Comsat)

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<sup>1</sup> 47 C.F.R. § 1.41.

(together the “Applicants”) have sought Commission consent to the transfer of control of Comsat and its associated licenses to BT.<sup>2</sup>

As the Commission is aware, the Agencies have taken the position that their ability to satisfy their obligations to protect the national security, enforce the laws, and preserve the safety of the public could be impaired by transactions in which foreign entities will own or operate a part of the U.S. telecommunications system, or in which foreign-located facilities will be used to provide domestic telecommunications services to U.S. customers. After discussions with representatives of BT and Comsat in connection with the proposed transfer of control of Comsat to BT, the Agencies have concluded that the commitments set forth in the Letter will help ensure that the Agencies and other entities with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed in a legal, secure, and confidential manner to satisfy these responsibilities. Accordingly, the Agencies hereby advise the Commission that they have no objection to the Commission granting the above-referenced Applications, provided that the Commission conditions its consent on compliance by BT with the commitments set forth in the Letter.

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<sup>2</sup> *Comsat International, Inc., Transferor, and British Telecommunications plc, Transferee, Seek FCC Consent to Transfer Control of Licenses and Authorizations, Public Notice, Report No. TEL-01145S.*

The Agencies are authorized to state that the Applicants do not object to the grant of this Petition.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Stewart A. Baker  
Assistant Secretary for Policy  
U.S. Department of Homeland Security  
3801 Nebraska Avenue, N.W.  
Washington, DC 20528

\_\_\_\_\_/s/\_\_\_\_\_  
Elaine N. Lammert  
Deputy General Counsel  
Federal Bureau of Investigation  
923 Pennsylvania Avenue, N.W.  
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\_\_\_\_\_/s/\_\_\_\_\_  
Charles M. Steele  
Chief of Staff  
National Security Division  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530  
May 23, 2007



May 16, 2007

**BY HAND DELIVERY AND ELECTRONIC MAIL**

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**Re: BT-Comsat International Security Assurances**

Dear Mr. Baker, Mr. Wainstein, Ms. Mandelker, and Ms. Lammert:

As you know, pursuant to section 214 of the Communications Act of 1934, on April 25, 2007, British Telecommunications plc ("BT"), through its parent, BT Group plc, and Comsat International, Inc. ("Comsat International") (together, the "Parties") filed with the Federal Communications Commission a joint international and domestic application for the transfer of control of Comsat International and its associated licenses to BT (the "214 application").

In connection with the 214 application and the proposed acquisition of Comsat International, BT hereby assures the Department of Homeland Security, Department of Justice, and the Federal Bureau of Investigation (together, the "Agencies") that it will apply the commitments made to the Agencies in the letter dated January 12, 2005, in connection with BT's acquisition of Infonet Services Corporation ("Infonet"), which relate to the combined network facilities of BT and Infonet physically located in the United States,

equally to network facilities of Comsat International physically located in the United States. The security assurances enumerated in the January 12, 2005, letter specifically will apply to the U.S. facilities of Comsat International immediately upon consummation of the acquisition of Comsat International by BT.

The assurances provided in this letter reflect BT's continuing commitment to maintaining secure facilities in the United States, as well as BT's desire to continue its strong working relationship with the United States government. Should there be any material changes with respect to BT's security arrangements, BT will promptly notify DOJ, FBI, and DHS. Should you have any questions regarding any aspect of this letter, please do not hesitate to contact the undersigned.

Very truly yours,

**British Telecommunications plc**



By:

Tim Cowen  
General Counsel & Commercial Director  
BT Global Services